

That is precisely the vote before us now. We will be watching to see if the senior Senator from Utah follows his own counsel or if he, in his own judgment, undermines the authority of the President of the United States.

These pledges were made publicly and plainly. In a court of law, they would be considered pretty clear evidence. It does not take the great legal mind of a Goodwin Liu to recognize that simple principle.

We have heard the promises. Now we will hear the votes.

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

Harry Reid, Patrick J. Leahy, Charles E. Schumer, Richard Blumenthal, Daniel K. Akaka, Al Franken, Richard J. Durbin, Sheldon Whitehouse, Dianne Feinstein, Jeff Merkley, Christopher A. Coons, Mark Begich, Amy Klobuchar, Barbara Boxer, Jack Reed, Debbie Stabenow, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON), the Senator from Kansas (Mr. MORAN), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 74 Ex.]

YEAS—52

Akaka	Franken	McCaskill
Begich	Gillibrand	Menendez
Bennet	Hagan	Merkley
Bingaman	Harkin	Mikulski
Blumenthal	Inouye	Murkowski
Boxer	Johnson (SD)	Murray
Brown (OH)	Kerry	Nelson (FL)
Cantwell	Klobuchar	Pryor
Cardin	Kohl	Reed
Carper	Landrieu	Reid
Casey	Lautenberg	Rockefeller
Conrad	Leahy	Sanders
Coons	Levin	Schumer
Durbin	Lieberman	Shaheen
Feinstein	Manchin	Stabenow

Tester
Udall (CO)
Udall (NM)

Warner
Webb
Whitehouse

Wyden

NAYS—43

Alexander
Ayotte
Barrasso
Blunt
Boozman
Brown (MA)
Burr
Chambliss
Coats
Coburn
Cochran
Collins
Corker
Cornyn
Crapo

DeMint
Enzi
Graham
Grassley
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Kirk
Kyl
Lee
Lugar
McCain

McConnell
Nelson (NE)
Paul
Portman
Risch
Roberts
Rubio
Sessions
Shelby
Snowe
Thune
Toomey
Wicker

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—4

Baucus
Hutchison

Moran
Vitter

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43, and 1 Senator responded "Present." Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

• Mr. MORAN. Mr. President, today, I was unavoidably absent for vote No. 74 on cloture for the nomination of Goodwin Liu, of California, to be a U.S. circuit judge for the Ninth Circuit. I was in my home State of Kansas at the time of the vote. Had I been present, I would have voted to oppose the invoking of cloture on the nomination. •

The PRESIDING OFFICER. The Senator from Illinois.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent the Senate proceed to a period of morning business until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska.

PENDING TRADE AGREEMENTS

Mr. JOHANNES. Mr. President, I come to the floor this afternoon during World Trade Week to urge President Obama to submit pending free-trade agreements: Korea, Panama, and Colombia. I hope this is the last time I come to the floor on this issue until we are actually debating these job-creating agreements, but I must admit I feel as though I am holding my breath.

Mr. President, 1,420 days have passed since the U.S.-Korea Free Trade Agreement was signed; 1,422 days have passed since we signed an agreement with Panama, and it has been 1,640 days since we completed negotiations with our close ally, Colombia.

We have heard the administration tout the job-creating benefits of the agreements, so why more roadblocks? Our unemployment rate is nearly 10 percent. Our workers deserve a consistent message on job creation from this administration. It has been over a month since President Obama and the President of Colombia made an announcement. The announcement was that negotiations had been completed, I might add, yet again. I was relieved that President Obama finally announced there was an agreement and that there was a need to complete the long overdue agreement.

I am confident the agreement brought to the Senate and the House would finally win bipartisan support, and I still am today. In fact, over a month ago, in the Wall Street Journal, my colleagues, Senators BAUCUS and KERRY, called for Congress to "restore a broadly-shared bipartisan consensus on trade." Now the administration seems to be moving the goalposts, suggesting continued delay. They are trying to hold up these agreements to force us to make spending increases that were contained in the ill-fated economic stimulus bill.

During the challenging economic times that our Nation has endured, we should all be doing all we can to exert every single ounce of energy to get our economy moving again and create jobs. This is not done by heavyhanded government, massive new spending, and new entitlements when our current programs are unsustainable. It is accomplished by lowering and removing barriers to our job creators so they can flourish. Korea, Panama, and Colombia all have much higher barriers to our exports than we have to their imports. These three bipartisan votes should have been near the top of the agenda 2 years ago. By now we should be voting on new agreements that this administration has negotiated, not the leftovers from the previous administration.

We will need an even greater focus on leveling the playing field through trade agreements if we are going to double our exports in the next 5 years, which is the goal the President has set. Yet the administration, claiming that reopening negotiations with Korea, Colombia, and Panama was necessary, continues to talk through these agreements. I am not saying every single agreement before us, or hopefully ever is, is perfect. No agreement ever is. However, let's not forget that these agreements were originally negotiated in good faith between allies. What does this delay do to our reputation as a reliable negotiating partner?

Back where I come from in Nebraska, a lot of business is still done with a handshake. We trust our neighbors because they are good people with good values. But if one makes a deal with someone and shakes on the deal and they keep changing the terms or delaying the followthrough, one tends to stop dealing with those people. I sure hope that does not happen to us.